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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,705	11/04/2005	Tilo Schweers	095309.55876US	8386

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EXAMINER

MAKIYA, DAVID J

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/523,705

Applicant(s)

SCHWEERS, TILO

Examiner

David J. Makiya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/7/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 2/7/2005 is objected to for referring to a U.S. Patent 6.29-.8- which does not exist. The examiner believes the applicant is referring to Ishida et al. Patent 6,280,070 based on an inventor name and publication search.

The information disclosure statement filed 2/7/2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the applications -AB, AC and AG- referred to therein have not been considered.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “common reflector,” “mutually separate light devices,” and “one reflector respectively is assigned” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to because the block diagram and its corresponding description should be labeled “Figure 1.”

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure

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must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 7 and 8 are objected to because of the following informalities: the applicant refers to "a common reflector is assigned to different light functions" but counters with "different light functions" having "separate light devices" and reflectors. It is unclear as to how there can be both a common and separate reflectors if there is only a single reflector 8 in the drawing. Therefore, the application will be examined and interpreted as best understood. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Brinkmann et al. (US Patent 6,505,947).

With respect to claim 5, Brinkmann et al. teaches a control arrangement for an illuminating system of motor vehicle, which control arrangement includes a control unit 7 which detects an activation of different light functions as input signals (Column 3, Lines 19-28); wherein as a function of the detected light functions the control unit triggers an adjusting device 34 of a headlight range adjustment system for adjusting an illumination device 11 for illuminating of the surroundings of a motor vehicle (Figure 2); the adjusting device is triggered by means of at least one control signal representing a predetermined adjusting value of at least one physical quantity which characterizes the illuminating device (Column 4, Lines 1-13); and the adjusting value is predeterminable in different state-specific manners (Column 1, Lines 1-13).

With respect to claim 6, Brinkmann et al. teaches the control arrangement wherein the adjusting device adjusts a reflector for a headlight (Column 1, Lines 63-67).

With respect to claim 7, Brinkmann et al. teaches the control arrangement wherein a common reflector 30 is assigned to different light functions (11, 26).

With respect to claim 8, Brinkmann et al. teaches the control arrangement wherein different light functions have mutually separate light devices (11, 12), to which one reflector respectively is assigned (29, 30); and the reflectors are rigidly connected with one another (Figure

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With respect to claim 9, Brinkmann et al. teaches the control arrangement wherein the different light functions include low beam light and high beam light (Column 3, Lines 19-26 and Column 4, Lines 1-13).

With respect to claim 10, Brinkmann et al. teaches the control arrangement wherein the physical quantity comprises an angle of rotation (Column 5, Line 50-Column 6, Line 4).

With respect to claim 11, Brinkmann et al. teaches the control arrangement wherein the adjusting object is adjustable about at least one axis of rotation (Column 5, Line 50-Column 6, Line 4).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tawa et al. (US Patent 6,874,918), Ishikawa (US Patent 6,513,958), and Hayami et al. (US Patent 6,293,686) all teach vehicle headlights with adjustable reflectors.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Makiya whose telephone number is (571) 272-2273. The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJM 09/11/2006



JOHN ANTHONY WARD
PRIMARY EXAMINER